

**Assembly Bill No. 2853**

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Passed the Assembly    August 29, 2002

\_\_\_\_\_  
*Chief Clerk of the Assembly*

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Passed the Senate    August 27, 2002

\_\_\_\_\_  
*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_\_ day of  
\_\_\_\_\_, 2002, at \_\_\_\_\_ o'clock \_\_M.

\_\_\_\_\_  
*Private Secretary of the Governor*

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## CHAPTER \_\_\_\_\_

An act to add Section 3517.1 to the Government Code, relating to state employees.

## LEGISLATIVE COUNSEL'S DIGEST

AB 2853, Diaz. State employees: engineers: salary parity.

Existing law establishes the conditions and procedures under which state employees may be represented by employee organizations on matters of employer-employee relations and requires the Governor or his or her representative to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations.

This bill would require that state employees in specified engineer and related classifications shall receive salaries no less than salaries received by their counterparts in larger local agencies and the University of California based on a specified survey of the Department of Personnel Administration and calculated in a specified manner. The bill would specify that implementation of the salary increases shall be contingent upon the appropriation of necessary funds in the annual Budget Act and would require implementation of the increases to be phased in over a 3-year period, as specified.

*The people of the State of California do enact as follows:*

SECTION 1. Section 3517.1 is added to the Government Code, to read:

3517.1. (a) Employees in classifications in State Bargaining Unit 9, the Professional Engineer unit, and other employees in classifications with collective bargaining identifications related to Unit 9, including, but not limited to, S09, M09, and E09 classifications, shall receive salaries no less than salaries received by their counterparts in California's larger local agencies and the University of California. The comparison shall be based on the Department of Personnel Administration's survey of Professional Engineer Benchmarks, utilizing the California public agencies and the University of California included in the department's survey



published in November 2001, and the local agency classifications and salary range matches contained therein. Salaries shall include employer payment of employee contributions to the California Public Employees Retirement System or similar retirement program for those agencies. Salaries for those classifications and agencies shall be updated no less than once per year. The agencies and classifications included in the survey shall only be changed upon agreement between the Department of Personnel Administration and the recognized employee organization.

(b) The calculation of the salary lead or lag for state-employed Unit 9 and related employees shall be based on weighted average salaries of employees in the classifications in those agencies in the following manner: salaries at the entry level shall be based on the bottom step of salary ranges and salaries for the professional registration required and full supervisor levels shall be based on the top step of the salary ranges. Other steps in the salary ranges and the salary for intermediate classifications and ranges between the entry and full supervisory levels shall be based on the procedures prescribed in this chapter.

(c) (1) Salaries for employees in State Bargaining Unit 9 and affiliated employees shall be increased as necessary to correspond to the timing of the salaries received by local agency employees included in the survey, with adjustments in the state employee salaries occurring no less than once every 12 months. In no event shall state employee salaries be reduced as a result of this provision. The Department of Personnel Administration and the recognized employee organization may negotiate salaries above the minimum level on any general, regional, specialty, classification, department, or other basis they choose.

(2) Implementation of subdivision (a) shall be phased in over three fiscal years commencing on July 1, 2003, as follows:

(A) Effective July 1, 2003, no less than one-third of the total salary increases as calculated pursuant to this section.

(B) Effective July 1, 2004, no less than two-thirds of the total salary increases as calculated pursuant to this section.

(C) Effective July 1, 2005, and in each and every subsequent year, the total amount of the salary increases as calculated pursuant to this section.



(d) Implementation of subdivisions (a) to (c), inclusive, shall be contingent upon the appropriation of the necessary funds in the annual Budget Act.



Approved \_\_\_\_\_, 2002

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*Governor*

